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8 UNITED STATES BANKRUPTCY COURT
9 EASTERN DISTRICT OF WASHINGTON

10 In re

11 1 MIN, LLC; HOTEL AT SOUTHPORT,
12 LLC; and TWELFTH FLOOR, LLC,

13 Debtors.

Chapter 11

Lead Case No. 24-01519

(Jointly Administered)

Adv. Proc. No. 25-80007

14 LAN CAI, SHUJIE CHEN, TIANRAN
15 CHEN, WEIJUN CHEN, JIE CHU,
16 ZHAOJUN CONG, HE CUI, JIANYING
17 DING, JICHUN DU, QING DU, JIEYING
18 FENG, YUPENG GAO, YIRAN HAN,
19 JINYANG HU, NAIXIN HU, XIAO HUANG,
20 JUNMEI JIN, XIN MENG, WEIHONG LU,
21 YUANYUAN MA, MIN PAN, LEI PEI, HAO
22 QI, XIAO RONG, JUAN SHAO, HUI
23 WANG, JINGYI WANG, YUQUAN WANG,
24 ZIDONG WANG, RONGRONG WU,
25 ZHAOHUI XU, QI XU, JIE YAN, KE
26 YANG, QIN YANG, HONGYUN YU,
27 SHUXIAN ZENG, XIAOHONG ZHANG,
28 YING ZHAO, MINBO ZHOU, NAN ZHOU,
HUIQING ZHU, ZILING ZENG, LUYI
ZHANG, JUNDI LIANG, TAO LI, YUN CAI,
HONGLIANG TANG, JIE TANG,
WENLUNG CHEN, SHI ZHANG, JUN CHE,
DAHE ZHANG, SHAN WAN, XIAOHONG
SUN, YAN LYU A/K/A YAN LU, WENYAN
WANG, JIALIN TIAN, RUI TANG,
XINHAN LIN, SIYU LIU, JIANYING
MENG, PHUONG NGUYEN, YEQING PAN,
XUERONG QI, QIANG WANG, JUNLI
WEI, YUNFEI WU, HONGYING YU,
DONGLI ZHANG,

Plaintiffs,

**ORDER GRANTING IN PART
AND DENYING IN PART AP
DEFENDANTS'
MOTION TO DISMISS THE
COMPLAINT**

1 v.

2 HOTEL AT SOUTHPORT, LLC, TWELFTH
3 FLOOR, LLC, 1 MIN, LLC.

4 Defendants,

5 and

6 WF CREL 2020 GRANTOR TRUST,

7 Intervenor-Defendant.

8
9 **BEFORE THE COURT** is the *Motion to Dismiss the Complaint* (the “Motion to
10 Dismiss”) filed by Defendants 1 Min, LLC (the “EB-5 Debtor”), Hotel at Southport, LLC (the
11 “Hotel Debtor”), Twelfth Floor, LLC (“the “Mezz Debtor” and together with the EB-5 Debtor
12 and the Hotel Debtor, the “Debtor-Defendants”), and WF CREL 2020 Grantor Trust (together
13 with the Debtor-Defendants, the “AP Defendants”) [ECF No. 12]. Having considered the AP
14 Defendants’ moving papers [ECF Nos. 12-15], Plaintiffs’ opposition brief [ECF No. 17], and the
15 AP Defendants’ reply brief [ECF No. 19], and having held oral argument on March 25, 2025, **IT**
16 **IS HEREBY ORDERED:**

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18 1. The Motion to Dismiss is **GRANTED IN PART** and **DENIED IN PART**, as set
19 forth herein.

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21 2. In determining the adequacy of the complaint on a motion to dismiss pursuant to
22 Fed. R. Civ. P. 12(b)(6), the Court must “accept all factual allegations as true and view them in
23 the light most favorable to Plaintiffs.” *Glazer Capital Mgmt., L.P. v. Forescout Techs., Inc.*, 63
24 F.4th 747, 763 (9th Cir. 2023). “In addition to the factual allegations in the complaint,” the Court
25 “may consider any materials incorporated into the complaint by reference.” *Id.*

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28 ORDER GRANTING IN PART AND DENYING IN PART AP
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1 3. However, the Supreme Court of the United States has emphasized that “[w]hile a
2 complaint attacked by a Rule 12(b)(6) motion to dismiss does not need detailed factual
3 allegations, a plaintiff’s obligation to provide the grounds of his entitlement to relief requires
4 more than labels and conclusions, and a formulaic recitation of the elements of a cause of action
5 will not do.” *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (internal citations and
6 quotation marks omitted). In short, “[f]actual allegations must be enough to raise a right to relief
7 above the speculative level, on the assumption that all the allegations in the complaint are true
8 (even if doubtful in fact).” *Id.* (citations omitted).

10 4. Balancing these precedents, the Court holds that, accepting all of Plaintiffs’ factual
11 allegations as true and viewing them in the light most favorable to Plaintiffs, Counts One through
12 Six of the Complaint adequately allege claims against the EB-5 Debtor. Therefore, the Motion to
13 Dismiss Counts One through Six against the EB-5 Debtor is **DENIED**.

15 5. In addition, the Court holds that, accepting all of Plaintiffs’ factual allegations as
16 true and viewing them in the light most favorable to Plaintiffs, the Complaint adequately alleges a
17 claim that the Debtor-Defendants, Michael Christ, and Seattle Family, LP should be deemed alter
18 egos. Therefore, the Motion to Dismiss Plaintiffs’ alter ego claim is **DENIED**.

19 6. ~~Nevertheless, In addition, after review of Plaintiffs’ Motion for the reasons stated~~
20 ~~on the record during oral argument on March 25, 2025~~ Reconsideration, Counts One through Six
21 of the Complaint fail to state a claim against the Mezz Debtor, but adequately allege claims
22 against the Hotel Debtor ~~or the Mezz Debtor.~~ Therefore, the Motion to Dismiss Counts One
23 through Six against the ~~Hotel Debtor and~~ Mezz Debtor is **GRANTED**; ~~with prejudice~~, and the
24 Motion to Dismiss Counts One through Six against the Hotel Debtor is DENIED.

7. Defendants shall answer the Complaint, as modified by this Order, within twenty days from the entry of this Order.

/// END OF ORDER ///

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